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APPLE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EPL HOLDINGS LLC,

Plaintiff,

v.

APPLE, INC.,

Defendant.

Case No. 3:12-cv-04306 (EMC)

**STIPULATION AND PROPOSED
ORDER PURSUANT TO CIV. LOCAL
RULE 6-2 TO CHANGE THE CASE
MANAGEMENT CONFERENCE
DATE DUE TO COUNSEL'S FAMILY
MEDICAL EMERGENCY**

APPLE, INC.

Counterclaimant,

v.

EPL HOLDINGS LLC,

Counterclaim Defendant.

Whereas, the Case Management Conference ("CMC") is currently scheduled for 9:00 a.m. on Friday, November 30, 2012 before this Court;

Whereas, Plaintiff EPL's lead counsel, Arthur Beeman, has a medical family emergency to attend to on Friday November 30, 2012;

Whereas, counsel for Plaintiff contacted the Court to determine if the Court has an alternative date available to hold the CMC, and the Court's clerk informed counsel that December 21, 2012 or January 3, 2013 were the next available dates available on the Court's calendar to hold the CMC;

Whereas, in view of Mr. Beeman's family medical situation, Plaintiff and Defendant have met and conferred and agreed to request a postponement of the upcoming CMC to December 21, 2012;

Therefore, pursuant to Civ. Local Rule 6-2 and the Court's inherent authority, Plaintiff and Defendant hereby stipulate and agree to request a postponement of the CMC scheduled for November 30, 2012 to December 21, 2012.

The previous time modifications in this case are follows:

- On September 5, 2012, the parties stipulated for an extension for defendant to respond to the Complaint. (Dkt No. 12)
- On October 15, 2012, the parties stipulated to request a continuance of the CMC, which the Court originally set for November 16, 2012 and then reset to November 30, 2012. (Dkt. Nos. 25-27).

The requested change of time to the CMC will not affect any other date currently scheduled in this case.

Dated: 11/28/12

SNR DENTON USA, LLP

By: /s/ Arthur S. Beeman
Arthur S. Beeman

Attorneys for Plaintiff and Counterclaim Defendant
EPL HOLDINGS, LLC

1 Dated: 11/28/12

BOIES, SCHILLER & FLEXNER LLP

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3 By: /s/ Michael D. Jay
Michael D. Jay

4 *Attorneys for Defendant and Counterclaimant*
5 *APPLE, INC.*

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8 *Pursuant to L.R. 5-1(i), the filer attests that concurrence in the filing of this document has been*
9 *obtained by all signatories.*

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11 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

12 The CMC currently scheduled for 11/30/12 is reset to 9:00 a.m. on December 21, 2012.

13
14 11/29/12
15 Dated: _____

